## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA EASTERN DIVISION

UNITED STATES OF AMERICA	)
	)
V.	) CASE NO. 3:16-CR-223-WKW
	) [WO]
BRANDON A. GENTLE	)

## **ORDER**

Before the court is Defendant Brandon A. Gentle's *pro se* motion for compassionate release (Doc. # 160), as supplemented (Doc. # 173), in which Mr. Gentle seeks to modify an imposed term of imprisonment pursuant to 18 U.S.C. \$ 3582(c)(1)(A)(i). The Government has filed a response in opposition. (Doc. # 164.) The motion is due to be denied.

Mr. Gentle was convicted based on his guilty plea to one count of conspiring to violate the controlled substances statutes, in violation of 21 U.S.C. § 846, by acquiring oxycodone by deception and fraud, in violation of 21 U.S.C. § 843(a)(3), and by causing the distribution and dispensing of oxycodone, in violation of 21 U.S.C. § 841(a)(1). As a result of his conviction, Mr. Gentle was sentenced to 70 months' imprisonment. (Doc. # 143.) Mr. Gentle's projected release date is November 2, 2022. *See* https://www.bop.gov/inmateloc/ (last visited Feb. 24, 2021).

Based upon a thorough review of the record, including the medical records (see Docs. # 164, 168, 173), Mr. Gentle has not shown "extraordinary and

compelling reasons" warranting his early release from prison. 18 U.S.C. § 3582(c)(1)(A). Furthermore, the balancing of the § 3553(a) factors does not favor release.

Accordingly, it is ORDERED that Mr. Gentle's *pro se* motion for compassionate release (Doc. # 160), as supplemented (Doc. # 173), is DENIED.

It is further ORDERED that Mr. Gentle's *pro se* motion for appointment of counsel (Doc. # 167) is DENIED.

DONE this 25th day of February, 2021.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE